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**FACSIMILE****FROM:**

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By Secretary: Jennifer Newell Direct Phone: 408-414-1237  
Re: 50277-2406— 10/786,941 Date: April 15, 2010 Time Sent: 2:10 pm  
Number of pages including this page: 5

**TO:**

Name	Company	Facsimile No.	Contact No.
Examiner Michael Pham	USPTO	571-273-3924	

**ENCLOSURES:** Please find attached the Agenda for Telephone Interview for Application No. 10/786,941. If you have any questions or concerns, please do not hesitate to contact me.

Regards,

Jennifer Newell  
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Docket No. 50277-2406

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No. 3803

Daniel ManHung Wong

Examiner: Michael Pham

Serial No.: 10/786,941

Group Art Unit No.: 2167

Filed on: February 24, 2004

For: IMPLEMENTATION OF BACKWARD COMPATIBLE XML SCHEMA  
EVOLUTION IN A RELATIONAL DATABASE SYSTEMCommissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**Unofficial Communication—Not for Entry**  
**By Facsimile—(571) 273-3924****AGENDA FOR TELEPHONE INTERVIEW**

Sir:

In response to the Office Action mailed February 2, 2010, the shortened statutory period for reply which runs until May 2, 2010, representatives of the Applicants (herein "Representatives") propose to hold a telephone interview according to the following agenda.

1. **Telephone interview date and time.** Wednesday, April 21, 2010, 11:00 am Eastern. For any changes, please call Eric L. Sutton at (408) 414-1210.
2. **Participants.** Michael Pham Examiner and Luke Wassum Primary Examiner for the USPTO. Marcel K. Bingham (Reg. No. 42,327), and Eric L. Sutton (Reg. No. 61,173) for the Applicants.
3. **Topic.** Applicants' representatives would like to discuss: (1) the erroneous rejection under 35 U.S.C. § 112 as allegedly failing to recite "how" the claim works (see Office Action, pgs. 2-3, item 5), (2) the failure to properly consider Applicants arguments from both the prior interview and the prior reply, which clearly explain fundamental differences between the claims and Fujiwara with the support of real world examples (see Office Action, pgs. 13-14, item 8A), and (3) the continued erroneous interpretation of Fujiwara that led to the continued rejection under 35 U.S.C. § 102 (see Office Action, pg. 15).

Docket No. 50277-2406

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

By, (Unofficial and Not for Entry—Unsigned)

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## PROPOSED AMENDMENTS

1. A machine-implemented method for executing a database statement, the method comprising the steps of:  
a database server receiving a request to execute the database statement, wherein  
the request includes the database statement and a tag that does not  
conform to a database language of said database statement;  
wherein said tag specifies at least one parameter field and at least one parameter  
value;  
in response to receiving the request, said database server storing the tag in a  
manner accessible to a tag access mechanism;  
said database server executing said database statement, wherein during execution  
of said database statement said database server provides access to one or  
more of the at least one parameter value through [[a]]the tag access  
mechanism provided by said database server.

PTOL-413A (09-04)

Approved for use through 07/31/2006, OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**Applicant Initiated Interview Request Form**Application No.: 10/786,941 First Named Applicant: Daniel ManHung Wong  
Examiner: Michael Pham Art Unit: 2167 Status of Application: Pending

## Tentative Participants:

(1) Michael Pham (2) Marcel K. Bingham  
(3) Luke Watsum (4) Eric SuttonProposed Date of Interview: Wednesday, April 21, 2010 Proposed Time: 11 am EST (AM/PM)

## Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

**Issues To Be Discussed**

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej</u>	<u>1</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Proposed Amendment

An interview was conducted on the above-identified application on \_\_\_\_\_

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview

(see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/EricL.Sutton#61173/

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Eric L. Sutton

Typed/Printed Name of Applicant or Representative

61.173

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 422 and 37 CFR 1.11 and 1.16. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.